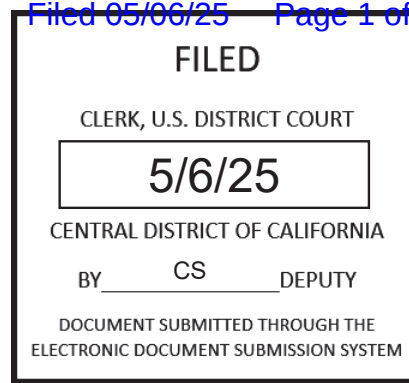


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6 *In Propria Persona*



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8 **UNITED STATES DISTRICT COURT FOR**
9 **THE CENTRAL DISTRICT OF CALIFORNIA**
10
11 **WESTERN DIVISION**

12 **TODD R. G. HILL, et al,**

13
14 **Plaintiffs**

15 **vs.**

16
17 **THE BOARD OF DIRECTORS,**
18 **OFFICERS AND AGENTS AND**
19 **INDIVIDUALS OF THE PEOPLES**
20 **COLLEGE OF LAW, et al.,**

21 **Defendants.**

CIVIL ACTION NO. 2:23-cv-01298-JLS-BFM

The Hon. Josephine L. Staton
Courtroom 8A, 8th Floor

Magistrate Judge Brianna Fuller Mircheff
Courtroom 780, 7th Floor

PLAINTIFF'S SUPPLEMENT TO MOTION
TO ALTER OR AMEND JUDGMENT
PURSUANT TO FED. R. CIV. P. 59(e)
(Relates to Docket 286)

NO ORAL ARGUMENT REQUESTED

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PLAINTIFF'S SUPPLEMENT TO MOTION TO ALTER OR AMEND JUDGMENT
PURSUANT TO FED. R. CIV. P. 59(e)

**PLAINTIFF’S SUPPLEMENT TO MOTION TO ALTER OR AMEND JUDGMENT
PURSUANT TO FED. R. CIV. P. 59(e)**

TO THE HONORABLE COURT AND ALL PARTIES OF RECORD:

Plaintiff Todd R. G. Hill respectfully submits this supplement to his Motion to Alter or Amend Judgment pursuant to Federal Rule of Civil Procedure 59(e) (Docket 286). This filing is necessary to bring to the Court’s attention procedural developments and previously unresolved matters that further justify reconsideration of the judgment to prevent manifest injustice and preserve the integrity of the record for appellate review.

I. PROCEDURAL DEVELOPMENTS AND OMISSIONS

A. DOCKETING OF PLAINTIFF’S SURREPLY MOTION (DOCKET 287)

On May 5, 2025, the Court docketed Plaintiff’s *Ex Parte Application for Leave to File Surreply in Opposition to Defendant Spiro’s Request for Judicial Notice* (submitted May 1, 2025). This document asserts and concurrently confirms that Plaintiff timely responded to Defendant Spiro’s improper declaration (Docket 285), which was filed after briefing had closed and without leave of Court.

Courts within the Ninth Circuit routinely reject attempts to supplement the record at the Rule 12(b)(6) stage via late declarations that improperly seek to resolve factual disputes. See *Khoja v. Orexigen Therapeutics, Inc.*, 899 F.3d 988, (9th Cir. 2018).

**PLAINTIFF’S SUPPLEMENT TO MOTION TO ALTER OR AMEND JUDGMENT
PURSUANT TO FED. R. CIV. P. 59(e)**

1 **B. PREFERENTIAL DOCKETING OF DEFENDANT’S LATE DECLARATION**

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4 Defendant Spiro’s May 4 declaration (Docket 285) was docketed immediately despite its
5 untimeliness under Local Rule 7-10 and the absence of any accompanying motion for leave. In
6 contrast, Plaintiff’s earlier and procedurally proper filings, including his April 22 and May 1
7 submissions, have either been delayed or remain entirely undocketed.

8
9 Plaintiff is aware that licensees of the Court generally receive priority processing. However,
10 where the Court has previously revoked similar docketing preferences for Plaintiff, and where the
11 opposing party has demonstrated repeated procedural disregard, the pattern of asymmetric docketing
12 raises broader concerns of fairness and accountability. It creates the appearance of selective docket
13 management that favors institutional actors at the expense of litigants pursuing legally recognized
14 claims without license-based privileges. Such disparities, when they bear on dispositive motions,
15 undermine public confidence in the judicial process and the constitutional imperative of equal access
16 to justice.

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19 These objections remain fully incorporated herein and preserved.

20
21 **C. SELECTIVE TREATMENT OF JUDICIAL NOTICE MOTIONS (DOCKETS 197**
22 **AND 199)**

23
24 In the Court’s acceptance of Docket 213, the Court partially granted Plaintiff’s Motion to
25 Supplement the Record (Docket 199), but only to the extent the materials might bear on amendment.
26 The Court declined to engage with the evidentiary content or grant notice for any dispositive purpose.

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PLAINTIFF’S SUPPLEMENT TO MOTION TO ALTER OR AMEND JUDGMENT
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1 Critically, Docket 197, an unopposed, timely, and substantively parallel judicial notice motion
2 related, was essentially not addressed at all.
3

4 This selective and incomplete treatment of dispositive filings stands in direct tension with Ninth
5 Circuit precedent, including *Khoja v. Orexigen Therapeutics, Inc.*, 899 F.3d 988, (9th Cir. 2018),
6 which prohibits courts from relying on judicial notice to resolve factual disputes at the pleading stage.
7 Plaintiff's motions sought to prevent precisely that kind of misuse, and the failure to address them
8 materially compromised the integrity of the record.
9
10

11 **D. CONSTRUCTIVE DENIAL OF RULE 15 MOTION TO AMEND THE TAC**

12 On September 6, 2024, Plaintiff submitted a proposed amended complaint, consistent with Rule
13 15(a)(2), and contemporaneously moved for leave to amend. The Court never ruled on that motion
14 prior to issuing final judgment. This constituted a constructive denial without analysis or application
15 of the governing factors under *Foman v. Davis*, 371 U.S. 178 (1962). Such omission warrants
16 reconsideration, as amendment was both timely and legally appropriate under the liberal standard for
17 granting leave.
18
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20 **E. JUDICIAL RECUSAL AND REASSIGNMENT**

21 Following reassignment from Judge Staton to Judge Valenzuela, Judge Valenzuela recused
22 without public explanation, and the matter was reassigned back to Judge Staton. Shortly thereafter, a
23 judgment for dismissal with prejudice was issued in regard to certain claims and the totality of State
24 Bar defendants. This sequence, reassignment, unannounced recusal, return to the original judge and
25 immediate judgment, left the case in a procedurally fragmented posture. Compounding this
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**PLAINTIFF'S SUPPLEMENT TO MOTION TO ALTER OR AMEND JUDGMENT
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1 irregularity is the continued delay or non-docketing of key filings, and the expedited docketing of
2 procedurally defective submissions by Defendants. The totality of these events creates extraordinary
3 circumstances within the meaning of Rule 59(e), and strongly supports reconsideration to restore
4 clarity, procedural integrity, and public confidence in the adjudicative process.
5

6 7 **II. STRUCTURAL PREJUDICE TO PLAINTIFF**

8 The omissions and procedural irregularities described above were not technicalities; they
9 altered the evidentiary and legal foundation of the judgment itself. For example, had Dockets 197 and
10 199 been fully considered, or had the April 22 filing been timely docketed, the Court would have
11 been presented with rebuttal material directly challenging the assumptions on which dismissal was
12 based. Plaintiff has been deprived of a complete and procedurally valid adjudication on the merits.
13

14 Moreover, the procedural posture of the case remains largely unchanged from the time
15 Plaintiff filed his original complaint. Despite extensive motion practice, multiple amendments, and
16 the submission of judicially cognizable evidence, the Court has yet to address the full scope of
17 Plaintiff's claims on a complete record. The net effect of these omissions is that Plaintiff remains
18 stalled at the threshold of litigation, without discovery, without a ruling on his proposed amended
19 complaint, and without judicial notice of material facts already placed before the Court.
20

21 These facts amount to more than harmless error. They reflect a selective curation of the
22 record, inconsistent application of procedural rules, and failure to rule on properly filed and
23 potentially dispositive motions. Such defects render the judgment unreliable and warrant correction in
24 the interest of justice.
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**PLAINTIFF'S SUPPLEMENT TO MOTION TO ALTER OR AMEND JUDGMENT
PURSUANT TO FED. R. CIV. P. 59(e)**

1 **III. RELIEF REQUESTED**

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3 Plaintiff requests the following:

- 4 1. Consider this supplement as part of the pending Motion to Alter or Amend Judgment (Docket
5 286);
- 6 2. Reassess the procedural and evidentiary foundation of the judgment;
- 7 3. Grant the motion under Rule 59(e), or alternatively, schedule a hearing to clarify the status of
8 undocketed materials and permit full briefing on the issues withheld from the original
9 adjudication;
- 10 4. In the further alternative, issue an order identifying which filings, motions, and exhibits were
11 considered or excluded prior to judgment, to ensure a complete and reviewable appellate
12 record.
13
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16 **IV. CONCLUSION AND RESERVATION OF RIGHTS**

17 This supplement is submitted to ensure the accuracy and completeness of the record for both this
18 Court's review and any subsequent appellate scrutiny. Plaintiff expressly reserves all procedural and
19 appellate rights, including the right to challenge the judgment on grounds of due process, structural
20 prejudice, and incomplete adjudication. This filing is made in good faith to preserve those rights and
21 to mitigate the risk of continued harm resulting from unresolved procedural irregularities. Plaintiff
22 further reserves the right to seek relief under Rule 60(b) should material issues remain unaddressed or
23 omitted from the record.
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27 Respectfully submitted,
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**PLAINTIFF'S SUPPLEMENT TO MOTION TO ALTER OR AMEND JUDGMENT
PURSUANT TO FED. R. CIV. P. 59(e)**

1 Dated: May 6, 2025

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7 Todd R. G. Hill
8 Plaintiff, Pro Se

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10 **STATEMENT OF COMPLIANCE WITH LOCAL RULE 11-6.1**

11 The undersigned party certifies that this brief contains 1,111 words, which complies with the 7,000-
12 word limit of L.R. 11-6.1.

13 Respectfully submitted,

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17 May 6, 2025
18 Todd R.G. Hill
19 Plaintiff, in Propria Persona

20 **Plaintiff's Proof of Service**

21 This section confirms that all necessary documents will be properly served pursuant to L.R. 5-
22 3.2.1 Service. This document will be/has been electronically filed. The electronic filing of a
23 document causes a "Notice of Electronic Filing" ("NEF") to be automatically generated by the
24 CM/ECF System and sent by e-mail to: (1) all attorneys who have appeared in the case in this Court
25 and (2) all pro se parties who have been granted leave to file documents electronically in the case
26 pursuant to L.R. 5-4.1.1 or who have appeared in the case and are registered to receive service
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**PLAINTIFF'S SUPPLEMENT TO MOTION TO ALTER OR AMEND JUDGMENT
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1 through the CM/ECF System pursuant to L.R. 5-3.2.2. Unless service is governed by Fed. R. Civ. P.
2
3 4 or L.R. 79-5.3, service with this electronic NEF will constitute service pursuant to the Federal
4 Rules of Civil Procedure, and the NEF itself will constitute proof of service for individuals so served.

5 Respectfully submitted,

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9 May 6, 2025
10 Todd R.G. Hill
11 Plaintiff, in Propria Persona
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**PLAINTIFF'S SUPPLEMENT TO MOTION TO ALTER OR AMEND JUDGMENT
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